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Update to USEPA RE:
Mushroom Express facility

Hi Tina,

Here is an update on Mushroom express in Rincon.

As you know Mushroom Express is a non tribal facility that has functioned as a mixed use commercial site for a number of years, within the exterior boundaries of the federal Indian reservation.

The owner has been on notice numerous times for violations to health and safety laws. Including a most recent

2007 RCRA violation (Ms. Cameron McDonald USEPA)

Currently, the facility was destroyed in the Oct fire and has yet to be properly remediated. I have worked with USEPA- Tom Dunkelmann and his superior Marty Powel on a site visit and follow up; and this is my understanding:

USEPA Emergency Response is in communication with the land owner. EPA said they would give the landowner the appropriate amount of time to clean up the site. I asked what happens when a land owner does not have the will or resources to remediate after an emergency. Marty/Tom said that EPA will remediate and then will pursue reimbursement, even if that means taking the landowner to court.

I found out within the last few weeks, that the Land owner told Tom that he is participating in the County of San Diego debris removal program. Tom told me he is contacting the county to see if this is true.

Rincon is aware of a 12-31-07 SD County deadline for fire debris removal; Rincon expects that this site is on the same time frame requirement.

Rincon is requesting that the USEPA work with the Tribal Council to put pressure on this landowner so that this site can be remediated. This site is adjacent to endangered species protected habitat, this site has the potential to contaminate groundwater that is the sole drinking water source of the entire Tribe and community, and there is no indication that the landowner is working on clean up. Many of the oil

barrels that were cited in the RCRA violation are still on the site and ash from this site is a community air quality concern. Tina, please let me know what we can do to move this forward. Please forward this to Jason, USEPA Emergency Response. Thank you and have a great Holiday!

Kristie Orosco
Environmental Department
Rincon Band of Luiseno Indians